

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION,  
  
PEOPLE OF THE STATE OF CALIFORNIA,  
  
STATE OF COLORADO,  
  
STATE OF FLORIDA,  
  
PEOPLE OF THE STATE OF ILLINOIS,  
  
COMMONWEALTH OF MASSACHUSETTS,  
  
and  
  
PEOPLE OF THE STATE OF STATE OF NEW  
YORK,  
  
Plaintiffs,  
  
v.  
  
ROOMSTER CORP., a corporation,  
  
JOHN SHRIBER, individually and as an officer of  
Roomster Corp.,  
  
ROMAN ZAKS, individually and as an officer of  
Roomster Corp., and  
  
JONATHAN MARTINEZ, individually and doing  
business as AppWinn,  
  
Defendants.

Case No: 1:22-cv-7389 (CM) (SN)

**NOTICE OF MOTION TO DISMISS THE COMPLAINT**

**PLEASE TAKE NOTICE** that upon (i) the Complaint dated August 30, 2022, in the above-captioned action; and (ii) the Memorandum of Law, defendants Roomster Corp., John Shriber, and Roman Zaks will move this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, before the Honorable Colleen McMahon, at the Daniel Patrick Moynihan

Courthouse, 500 Pearl Street, Room 24A, New York, New York 10007, at a date and time to be determined by the Court, for an Order dismissing the Complaint, with prejudice, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
October 31, 2022

GREENBERG TRAURIG, LLP

/s/ Jennifer A. Surprenant

Jennifer A. Surprenant  
Sarah E. Atlas  
One Vanderbilt Avenue  
New York, NY 10017  
Tel: (212) 801-9200  
Fax: (212) 801-6400  
SurprenantJ@gtlaw.com  
atlass@gtlaw.com

Andrew G. Berg  
2101 L Street, N.W.  
Suite 1000  
Washington, DC 20037  
Tel: (202) 331-3181  
berga@gtlaw.com

Gary E. Snyder  
Terminus 200  
3333 Piedmont Road NE  
Suite 2500  
Atlanta, GA 30305  
Tel: (678) 553-2121  
snyderg@gtlaw.com

*Counsel for Defendants*